

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

**FILE****UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS****FEB 03 2023****THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT**

Wendy P Drake  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s),  
v. Circuit Court of Cook County  
\_\_\_\_\_  
Adult Probation Department  
\_\_\_\_\_  
Defendant(s).

Case

:23-cv-00690  
Judge Thomas M. Durkin  
Magistrate Sheila M. Finnegan  
random Assignment

**COMPLAINT OF EMPLOYMENT DISCRIMINATION**

1. This is an action for employment discrimination.
2. The plaintiff is Wendy P Drake of the  
county of Cook in the state of Illinois.
3. The defendant is Circuit Court of Cook County / Adult Probation Department, whose  
street address is 50 West Washington Street, Room 2600,  
(city) Chicago (county) Cook (state) Illinois (ZIP) 60602  
(Defendant's telephone number) (312) - 603-6000
4. The plaintiff sought employment or was employed by the defendant at (street address)  
2650 S California Ave, Lower Level (city) Chicago  
(county) Cook (state) Illinois (ZIP code) 60608

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5. The plaintiff [**check one box**]

- (a) ☐ was denied employment by the defendant.
- (b) ☒ was hired and is still employed by the defendant.
- (c) ☐ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) January, (day) 31, (year) 2022.

7.1 (**Choose paragraph 7.1 or 7.2, do not complete both.**)

- (a) The defendant is not a federal governmental agency, and the plaintiff [**check one box**] ☒ **has** ☐ **has not** filed a charge or charges against the defendant

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission, on or about (month) October (day) 25 (year) 2022.
- (ii) ☒ the Illinois Department of Human Rights, on or about (month) October (day) 25 (year) 2022.

- (b) If charges *were* filed with an agency indicated above, a copy of the charge is attached. ☒ **Yes**, ☐ **No**, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the

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defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month)\_\_\_\_\_ (day)\_\_\_\_\_ (year) \_\_\_\_\_

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month)\_\_\_\_\_  
(day)\_\_\_\_\_ (year) \_\_\_\_\_.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ Yes ☐ No, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ Yes ☐ NO, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*

(a) ☐ the United States Equal Employment Opportunity Commission has not  
issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued  
a *Notice of Right to Sue*, which was received by the plaintiff on  
(month) November (day) 21 (year) 2022 a copy of which  
*Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [***check only those that apply***]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☒ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the ADA by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791; and for the ADEA, 29 U.S.C. § 626(c).
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☐ terminated the plaintiff's employment.
- (c) ☒ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☐ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): \_\_\_\_\_

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13. The facts supporting the plaintiff's claim of discrimination are as follows:

See separate sheet attached.

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14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☒ Yes ☐ No

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff **[check only those that apply]**

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☒ Direct the defendant to promote the plaintiff.
- (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ Direct the defendant to (specify): Either promote or keep in current position  
with equivalent pay (grade 22) grade. Reimburse for all lost wages, including  
pain and suffering.

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- (g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☒ Grant such other relief as the Court may find appropriate.

Wendy P Drake  
(Plaintiff's signature)

Wendy P Drake  
(Plaintiff's name)

8328 S Indiana Ave  
(Plaintiff's street address)

(City) Chicago (State) Illinois (ZIP) 60619

(Plaintiff's telephone number) (773) - 418-1104

Date: 1/31/2023

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>  This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.	Charge Presented To:      Agency(ies) Charge No(s):  EEOC                              440-2022-06383  FEPA
<b>Illinois Department Of Human Rights</b> and EEOC <hr/> <i>State or local Agency, if any</i>	

Name (indicate Mr., Ms., Mrs.) Wendy Drake	Home Phone 773-418-1104	Year of Birth
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Street Address 8328 S Indiana Ave CHICAGO, IL 60619
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Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name Cook County Adult Probation Department	No. Employees, Members 501+ Employees	Phone No.
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Street Address 2650 S CALIFORNIA AVE LOWR LEVEL LOWER LEVELCHICAGO, IL 60608
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Name	No. Employees, Members	Phone No.
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Street Address	City, State and ZIP Code
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DISCRIMINATION BASED ON  Race, Sex	DATE(S) DISCRIMINATION TOOK PLACE  <table> <tr> <td>Earliest</td> <td>Latest</td> </tr> <tr> <td>01/31/2022</td> <td>01/31/2022</td> </tr> </table> Continuing Action	Earliest	Latest	01/31/2022	01/31/2022
Earliest	Latest				
01/31/2022	01/31/2022				

THE PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)):  I began my employment with Respondent on or about September 24, 1994. My most recent position was Supervisor. During my employment, I was passed over for a promotion to the Director of Training position, whereas a less qualified male, non-black person was promoted in the Director of Training position. I complained to Respondent. Subsequently, I was assigned more staff. I believe I was discriminated against because of my sex, female, my race, Black, and in retaliation, in violation of Title VII of the Civil Rights Act of 1964, as amended.
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I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.  Digitally Signed By: Wendy Drake10/25/2022  <div style="text-align: center;">Charging Party Signature</div>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT   SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chicago District Office  
230 S Dearborn Street  
Chicago, IL 60604  
(800) 669-4000  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161 & 161-A)

**To:** Wendy Drake  
8328 S Indiana Ave.  
Chicago, IL 60619

Charge No: 440-2022-06383

EEOC Representative and email: Fatima Sandoval  
Investigator  
[fatima.sandoval@eeoc.gov](mailto:fatima.sandoval@eeoc.gov)

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### **DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 440-2022-06383.

On behalf of the Commission,

Digitally Signed By: Julianne Bowman  
11/21/2022  
\_\_\_\_\_  
Julianne Bowman  
District Director

Cc: Cook County Adult Probation -Office of the Chief Judge

Please retain this notice for your records.



### Complaint item #13

I, Wendy Drake began my career with the Adult Probation Department (APD) on September 26, 1994. As part of APD, I have worked in several units, learning about various aspect of probation work. For over twenty years of this time, I developed content, delivered training sessions, managed training processes to train field and caseload staff. In 2014 I was promoted to supervisor and remained in the Training Division for six months. At that time, I was given a caseload unit of nine officers to supervise, requiring me to transition to full-time staff supervision. In 2018, I returned to the Training Division full-time after Delores Johnson was promoted to Executive Assistant from Director of Training. I began training staff again in topics mandated by the Administrative Office of Illinois Courts (AOIC), along with all field unit related training. In June 2019, I was asked to supervise a grant funded unit Effective Practices in Community Supervision (EPICS). I continued training staff while supervising my three officers.

As the Executive Assistant, Delores had to maintain training responsibilities in addition to her other duties. Due to lack of funding an official Director of Training could not be named. To aid her and to facilitate a smooth transition, she named me as her replacement as Director of Training. Even though I was not promoted at that time, I assisted her in those training duties for over two years. A year before her retirement, she again named me as her successor and submitted a transition plan in July 2021. It was ignored. Instead, a new position was created, Assistant Director of Training. Delores was told whoever was hired for that position would take the Director of Training title once she retired as Executive Assistant. She encouraged me to apply for that position in August 2021. I applied and was interviewed on September 21, 2021. I was never notified about the results of my interview. On January 26, 2022, Delores was told that Christopher Devlin, an unqualified white male would be taking over the Director of Training duties. She was also asked to delay her retirement for six months to train him in the position. She declined and retired on January 31, 2022. Christopher Devlin was assigned to the Training Division.

On February 15, 2022, I received an email from Chief Megan Volker asking to meet with her and Assistant Chief Ronnie Woodfork to discuss ongoing training and the upcoming preservice class. We met February 23, 2022. I was told that I should not feel like I was being pushed out of training and that Chris would love for me to continue training. My response was that I felt undervalued, unappreciated, and disrespected. That I would not work under someone who was hired two years prior and does not have my experience nor credentials. By April 2022, my staff increased by 130%. I was also given problematic staff, as stated by other supervisors.

In summary, I believe that I was discriminated against because of my sex, as a female, and my race, as a Black person, in violation of Title VII of the Civil Rights Act of 1964 and 42 U.S.C. Section 1981, as amended. This experience has left me feeling disheartened and unsupported by my employer. I hope that through this complaint, I can seek justice and hold the Defendant accountable for their actions.